

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 1:18-cr-02945-WJ

JANY LEVEILLE,
SIRAJ IBN WAHAJ,
LUCAS MORTON,
HUJRAH WAHHAJ, and
SUBHANAH WAHHAJ,

Defendants.


SCHEDULING ORDER

The Court has declared this case complex and considered the parties' proposed scheduling orders (Doc. 510, 512). The Court finds that Defendants' proposal for trial in May of 2023 is unrealistic in light of the complexities of the case, including complicated factual and legal issues in the pending motions to suppress or dismiss, in the additional pretrial motions the Court anticipates will be filed by the parties, and under the Classified Information Procedures Act ("CIPA"). Therefore, the Court hereby imposes the following deadlines in this case:

1. *February 3, 2023*: Fed. R. Crim. P. 12(b)(3) pretrial motions and Fed. R. Crim. P. 12.2 notice deadline.
2. *March 3, 2023*: Fed. R. Crim. P. 12(b)(3) pretrial motions and Fed. R. Crim. P. 12.2 notice responses deadline.
3. *March 17, 2023*: Fed. R. Crim. P. 12(b)(3) pretrial motions and Fed. R. Crim. P. 12.2 notice replies deadline.
4. *April 3, 2023*: Government expert witness notice and reports deadline.
5. *April 17, 2023*: Defendant expert witness notice and reports deadline.

6. *April 28, 2023*: CIPA litigation substantially completed.
7. *May 1, 2023*: Daubert motions deadline.
8. *May 15, 2023*: Daubert responses deadline.
9. *May 29, 2023*: Daubert replies deadline.
10. *June 1, 2023-July 14, 2023*: Hearings on pending motions (dates to be set by separate order)
11. *July 17, 2023*: Fed. R. Crim. P. 404(b) notices, motions in limine, proposed jury instructions proposed voir dire, witness and exhibit lists deadline.
12. *July 31, 2023*: Fed. R. Crim. P. 404(b) notices, motions in limine, proposed jury instructions proposed voir dire, witness and exhibit lists objections and responses deadline.
13. *July 31, 2023*: Giglio and Brady disclosures deadline (8 weeks prior to trial).
14. *August 14, 2023*: Fed. R. Crim. P. 404(b) notices, motions in limine, proposed jury instructions proposed voir dire, witness and exhibit lists replies deadline.
15. *August 21-September 8, 2023*: Hearings on pending motions and objections (dates to be set by separate order).
16. *August 28, 2023*: Jencks Act disclosures deadline (4 weeks prior to trial).
17. ***September 20, 2023, at 9:00 a.m., Cimarron Courtroom: Pretrial Conference***
18. ***September 25-October 20, 2023, at 9:00 a.m., Cimarron Courtroom: Trial (four weeks).***¹

The Court further orders, pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii), that the time between the entry of this Order and the trial date is excluded for the purposes of the Speedy Trial Act computation.



CHIEF UNITED STATES DISTRICT JUDGE

¹ The actual trial dates may be subject to adjustment depending on the Court's schedule as the trial date approaches.